

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CHRISTOPHER D. MACK,

Plaintiff

v.

ROMERO ARANAS, et al.,

Defendants

Case No.: 2:17-cv-02239-APG-EJY

**Order Accepting Report and
Recommendation**

[ECF Nos. 34, 36]

On July 29, 2020, Magistrate Judge Youchah recommended that I deny plaintiff Christopher Mack's motion to amend to the extent he seeks (1) to add three new Doe defendants and (2) money damages against the defendants in their official capacities. ECF No. 36. Mack did not file an objection. Thus, I am not obligated to conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to "make a de novo determination of those portions of the report or specified proposed findings to which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) ("the district judge must review the magistrate judge's findings and recommendations de novo *if objection is made*, but not otherwise" (emphasis in original)).

I THEREFORE ORDER that Magistrate Judge Youchah's report and recommendation (ECF No. 36) is accepted and the plaintiff's motion to amend (ECF No. 34) is GRANTED in part as set forth in Judge Youchah's order (ECF No. 36). The motion to amend is denied to the extent the amended complaint seeks to add three new Doe defendants or asserts "official capacity" claims for money damages. Those allegations are dismissed with prejudice.

DATED this 2nd day of September, 2020.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE